



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,923	11/24/2003	William Jackson Bushnell	Bushnell 26-27 (13436.287	5224

24283 7590 10/13/2006

PATTON BOGGS
1660 LINCOLN ST
SUITE 2050
DENVER, CO 80264

EXAMINER

PHAN, HUY Q

ART UNIT	PAPER NUMBER
----------	--------------

2617

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,923

Applicant(s)

BUSHNELL ET AL.

Examiner

Huy Q. Phan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Amendment filed on date: 09/26/2006.
Claims 1-14 are still pending.

Response to Arguments

2. Applicant's arguments, see REMARKS, have been fully considered but they are not persuasive.

a) Applicant argued that "the Robbins Patent fails to show or suggest a call pick up group that defines members of a call pick up group comprising the user's wireless station set and a plurality of additional station sets to allow all members of the call pick up group to answer each other's telephones" (see REMARKS page 8). The examiner respectfully disagrees. Robbins suggests a call pick up group (as described that the user's wireless station set ("device 130" see [0062]) is being associated with a plurality of additional station sets ("the wired desktop phones" see [0054])). Since Robbins also teaches the technique, that the incoming call is directly sent to the user's wireless station set and a plurality of additional station sets, which allows either station set to answer the incoming call [0062]; therefore Robbins discloses the claimed limitation of "a call pick up group that defines members of a call pick up group comprising the user's

wireless station set and a plurality of additional station sets to allow all members of the call pick up group to answer each other's telephones".

b) Applicant argued that "In addition, the Robbins Patent fails to show or suggest a call pick up service, which is responsive to any member of the call pick up group activating a call pick up service, for redirecting the call to any member of the call pick up group" (see REMARKS page 8). The examiner respectfully disagrees. Robbins discloses members of call pick up service (as suggested that the user's wireless station set ("device 130" see [0062]) is being associated with a plurality of additional station sets ("the wired desktop phones" see [0054]) and that the incoming call is directly sent to the user's wireless station set and a plurality of additional station sets, which allows either station set to answer the incoming call [0062]). Since Robbins shows that the user's wireless station set can be activated the accessing of the incoming call (call from his home" see [0135]) by routing it to the desk phone (Marie's phone); therefore Robbins discloses the claimed limitation of "a call pick up service, which is responsive to any member of the call pick up group activating a call pick up service, for redirecting the call to any member of the call pick up group".

The examiner relies upon reference, as a whole, to anticipate the instant claims. Reference's specific citations are to pinpoint pertinent passages to aid in the understandings of the reference as applied to the particular claimed elements.

With all the reasons stated above, the rejection is deemed proper and still stands.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Robbins (US-2004/0072593).

Regarding claim 1, Robbins discloses an interoperability system (fig. 2, 134) connected to an enterprise communication network (fig. 2, 139) and a public communication network (fig. 2, 106) for providing call pick up service to a user's wireless station set (fig. 2, 130) which is located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 2), and which is a member of a call pick up group comprising said user's wireless station set and a plurality of additional station sets ("the wired desktop phones" see [0054] and "desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]), comprising:

presence server means ("sever" see [0077] and fig. 5, 134) for storing user location data representative a service location of a user wireless station set ("the subscriber device's location in memory" and "user's settings" see [0100]-[0104]);

query means (fig. 5, 134) for exchanging said user location data (figs. 8-9 and [0091]-[0101]) with said enterprise communication network and said public communication network (figs. 9-10 and descriptions);

call pickup group definition means ([0077] and fig. 5, 134) for storing data that defines members of a call pick up group comprising said user's wireless station set and a plurality of additional station sets ("the wired desktop phones" see [0054] and "desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]) to allow all members of said call pick up to answer each others telephones [0062];

call pickup notification means (fig. 1, 104 or 134), responsive to said user location data and the presence of a call directed to any member of said call pick up group comprising said user wireless station set and a plurality of additional station sets, for transmitting an alert signal to all members of said call pick up group comprising said user's wireless station set and said plurality of additional station sets ([0062] and [034]-[0138]); and

call pickup means (fig. 1, 104 or 134), responsive to any member of said call pick up group activating a call pick up service ([0062] and [034]-[0138]) ([0062] and [034]-

[0138]), for redirecting said call to said any member of said call pick up group ([0055] and [0134]-[0138]).

Regarding claim 2, Robbins discloses the interoperability system of claim 1 wherein said call (from 158 of fig. 2) is directed to said enterprise communication network and said user wireless station set is served by said public communication network ([0063] and [0112]), said call pickup means comprises: enterprise communication network means (fig. 2, 139) for transmitting said alert signal to said plurality of additional station sets served by said enterprise communication network (“desk phone 136” see [0062] interpreted as number of desk phones connected to the same phone line; or “The soft switch 134 can send SIP signaling related to a single call to multiple devices” see [0134]-[0135]; or “The user may also carry other cellular enabled data devices” see [0067] and [0137]-[0138]).

Regarding claim 3, Robbins discloses the interoperability system of claim 1 wherein said call (from 158 of fig. 2) is directed to said enterprise communication network and said user wireless station set is served by said public communication network ([0063] and [0112]), said call pickup means comprises: public communication network means (fig. 2, 106) for transmitting said alert signal to said plurality of additional station sets served by said public communication network (“desk phone 136” see [0062] interpreted as number of desk phones connected to the same phone line; or “The soft switch 134 can send SIP signaling related to a single call to multiple devices” see

[0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]).

Regarding claim 4, Robbins discloses the interoperability system of claim 1 wherein said call pickup means comprises: call forwarding means for transmitting an alert signal to said user wireless station set at said service location of said user's wireless station set (see [0062], [0134]-[0138]).

Regarding claim 5, Robbins discloses the interoperability system of claim 1 wherein said call pickup means comprises: answer means, responsive to one of said additional station sets dialing a call pick up code or click Pickup icon on IP phone, for redirecting said call to said one of said additional station sets (see [0062], [0126] and [0134]-[0138]).

Regarding claim 6, Robbins discloses the interoperability system of claim 1 wherein said enterprise communication network and said public communication network each comprise at least one cell site (fig. 2, BS 144 and AP 132A), said presence server means comprises: location data update means ("register" see figs. 8-9 and [0091]-[0101]), responsive to user location data received from a one of said enterprise communication network and said public communication network (fig. 1 and its description), for recording present location data identifying a one of said at least one cell site which presently serves said user wireless station set (figs. 8-9 and [0091]-[0101]).

Regarding claim 7, Robbins discloses the interoperability system of claim 6 wherein said presence server means further comprises: status means for identifying a present operational status of said user wireless station set ([0126] and [0135]).

Regarding claim 8, Robbins discloses a method (fig. 2 and description) of providing call pick up service interoperability in both an enterprise communication network (fig. 2, 139) and a public communication network (fig. 2, 106) to a user's wireless station set (fig. 2, 130) which is a member of a call pick up group comprising said user's wireless station set and at least one additional station set ("the wired desktop phones" see [0054] and "desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]), comprising:

storing ([0077] and fig. 5, 134) user location data representative a service location of a user wireless station set ([0072]-[0075], [0121] and [0054]);

exchanging said user location data with said enterprise communication network and said public communication network and said public communication network (figs. 8-9 and [0091]-[0101]);

storing ([0077] and fig. 5, 134) data that defines members of a call pick up group comprising said user's wireless station set and a plurality of additional station sets to

allow all members of said call pick up to answer each others telephones ([0062] and [034]-[0138]);

transmitting, in response to said user data and the presence of a call directed to any member of said call pick up group comprising said user wireless station set and a plurality of additional station sets ([0062] and [034]-[0138]), an alert signal to all members of said call pick up group comprising said user's wireless station set and said plurality of additional station sets ("the wired desktop phones" see [0054] and "desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]); and

redirecting ([0055] and [0134]-[0138]), in response to any member of said call pick up group activating a call pick up service, said call to said any member of said call pick up group ([0062] and [034]-[0138]).

Regarding claim 9, Robbins discloses the method of providing call pick up service of claim 8 wherein said call (from 158 of fig. 2) is directed to said enterprise communication network and said user wireless station set is served by said public communication network ([0063] and [0112]), said step of transmitting comprises: transmitting said alert signal to said plurality of additional station sets served by said enterprise communication network ("desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP

signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]).

Regarding claim 10, Robbins discloses the method of providing call pick up service of claim 8 wherein said call (from 158 of fig. 2) is directed to said enterprise communication network and said user wireless station set is served by said public communication network ([0063] and [0112]), said step of transmitting comprises: transmitting said alert signal to said plurality of additional station sets served by said public communication network ("desk phone 136" see [0062] interpreted as number of desk phones connected to the same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]).

Regarding claim 11, Robbins discloses the method of providing call pick up service of claim 8 wherein said step of transmitting comprises: transmitting an alert signal to said user wireless station set at said service location of said user's wireless station set ([0063] and [0112]).

Regarding claim 12, Robbins discloses the method of providing call pick up service of claim 8 wherein said step of transmitting comprises: answer means, responsive to one of said additional station sets dialing a call pick up code or click Pickup icon on IP phone, said call to said one of said additional station sets (see [0062],

[0126] and [0134]-[0138]).

Regarding claim 13, Robbins discloses the method of providing call pick up service of claim 8 wherein said enterprise communication network and said public communication network each comprise at least one cell site (fig. 2, BS 144 and AP 132A), said step of storing comprises: redirecting (fig. 1 and its description), in response to user location data received from a one of said enterprise communication network and said public communication network ("register" see figs. 8-9 and [0091]-[0101]), for recording present location data identifying a one of said at least one cell site which presently serves said user wireless station set (figs. 8-9 and [0091]-[0101]).

Regarding claim 14, Robbins discloses the method of providing call pick up service of claim 13 wherein said step of storing further comprises: identifying a present operational status of said user wireless station set ([0126] and [0135]).

Conclusion

4. THIS ACTION IS MADE FINAL.

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

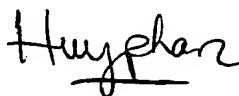
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

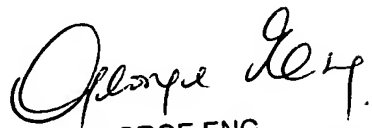
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




GEORGE ENG
SUPERVISORY PATENT EXAMINER